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KM-8170

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JAN 12 1993

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

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FCC MAIL ROOM

January 4, 1993

93 PRM

Ms. Donna R. Searcy  
Secretary  
Federal Communications Commission  
Washington, D. C. 20554

Re: Modification of FM Table of Allotments  
at Rosendale and New Paltz, New York

Dear Ms. Searcy:

On behalf of State University of New York I enclose an original and four copies of a Petition to Amend the FM Table of Allotments in the cities of Rosendale and New Paltz, New York. It is respectfully requested that this Petition be directed to the Chief of the Allocations Branch.

If that Branch has any engineering/technical questions, please contact our consultant:

Mr. Kyle E. Magrill  
Magrill & Associates  
PO Box 456  
Orange Lake, Fl. 32681  
(904) 371-4288

For your information, WFNP was issued a construction permit (BPED-920429MF) as Class A on November 23, 1992. Our application for a license to cover the permit is being filed simultaneously (reference copy enclosed).

I have enclosed an additional "file" copy of the Petition and a stamped envelope directed to my attention. I would appreciate your date stamping that "file" copy and returning it to me in the enclosed envelope.

Sincerely yours,

*Lewis E. Rosenthal*

Lewis E. Rosenthal  
Associate Counsel

Encs.

cc: Dr. Chandler  
Mr. Robedee

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BEFORE THE  
**Federal Communications Commission**  
WASHINGTON, D. C. 20554

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JAN 12 1993

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In The Matter of )  
 )  
Amendment of Section 73.202 (b), )  
Table of Allotments, )  
FM Broadcast Stations )  
(Rosendale and New Paltz, )  
New York) )

RM 8170

To: Chief, Allocations Branch

PETITION FOR RULE MAKING

The State University of New York ("WFNP"), the licensee of non-commercial, WFNP (FM) Rosendale, New York, with its engineering consultant, pursuant to section 1.420 of the Commission's rules, respectfully submits a petition for rule making to make changes in the FM Table of Allotments, Section 73.202 (b) of the Commission's rules as follows:

	<u>Current</u>	<u>Proposed</u>
Rosendale, New York	204A	255A, 273A

### DISCUSSION

WFNP is currently licensed as a time-shared class A facility. WFPN shares its license with WRHV (channel 204B1) Poughkeepsie, NY. WFPN is seeking an alternative to continuing its time share arrangement which would allow both WFPN and WRHV to operate on a full time basis. To this end, WFPN seeks to modify the FM table of Allotments in the following manner:

1. Add channels 255A and 273A to Rosendale, New York.
2. Modify the WFPN license to specify operation on channel 273A.
3. Delete channel 204A from Rosendale, New York.

The reference coordinates for the community of Rosendale are:

41° 50' 27" N. Latitude  
74° 05' 00" W. longitude

Because WFPN wishes to change channels to a non-mutually exclusive channel, they request that both channels 255A and 273A be allocated to Rosendale as its first and second local FM service and that channel 255A be set aside for other expressions of interest at Rosendale. Both channels would be site restricted. The reference coordinates for channel 255 would be:

41° 55' 45" N. Latitude  
74° 07' 44" W. Longitude

The reference coordinates for channel 273 are:

41° 45' 48" N. Latitude  
74° 04' 59" W. Longitude

Attached as Exhibit EE-2 is a frequency search showing that channel 255A is available for allotment to Rosendale with a site restriction of 10.5 km N-NW. WFNP further seeks the modification of its license to specify operation on channel 273A in accordance with section 1.420(g)(2) of the Commission's rules. Attached as Exhibit EE-1 is a frequency search showing that channel 273A may also be allotted to Rosendale with a site restriction of 8.6 km. South. WFNP would continue to operate as a non-commercial station on channel 273A.

These proposed changes would benefit the public's interest by:

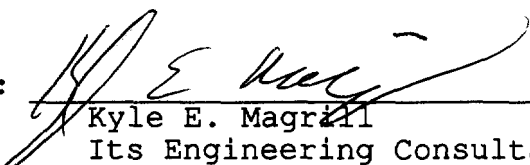
1. Allowing both WFNP and WRHV to upgrade to full time.
2. Adding new first and second local FM service to the city of Rosendale.

Upon a grant of this proposed rule making, WFNP will promptly file an application for a construction permit on channel 273A and will construct new facilities when the permit is granted.

It is therefore, respectfully, requested that, for the  
afore mentioned reasons, the Commission issue a notice of  
proposed rule making to commence the above mentioned  
changes in the table of allotments at Rosendale, New York.

Respectfully Submitted,

The State University of New York

By:   
Kyle E. Magrill  
Its Engineering Consultant

Date: 12/09/92

Magrill & Associates  
P. O. Box 456  
Orange Lake, Fl 32681  
(904) 371-4288

I hereby declare, under penalty of perjury, that I  
have read, verify and submit the foregoing.

The State University of New York

By:   
Harry K. Spindler

Title: Senior Vice Chancellor

State University of New York  
c/o State University Plaza  
Albany, NY. 12246  
Attn: Mr. Lewis Rosenthal  
(914) 257-3099

Magrill & Associates  
(904) 331-5999

Exhibit # EE-1  
Spacing study showing channel 273 meets 73.207

REFERENCE	CLASS A	DISPLAY DATES
41 45 48 N		DATA 10-27-92
74 04 59 W	Current rules spacings	SEARCH 12-07-92
----- CHANNEL 273 -102.5 MHz -----		

CALL TYPE	CH# LAT	CITY LNG	STATE PWR	BEAR' HT	D-KM D-Mi	R-KM R-Mi	MARGIN (KM)
WNEWFM	274B	New York	NY	175.9	113.02	113.0	0.02 <
CP CN	40 44 54	73 59 10	6.000 kW	415M	70.2	70.2	
	Group W Radio, Inc.				BPH910116IE		
WNEWFM	274B	New York	NY	175.9	113.02	113.0	0.02 <
LI EN	40 44 54	73 59 10	7.800 kW	372M	70.2	70.2	
	Group W Radio, Inc.				BLH840406BY		
WGNYSM	276A	Newburgh	NY	188.3	32.61	31.0	1.61 <
LI CN	41 28 22	74 08 22	3.500 kW	84M	20.3	19.3	
	Sunrise Broadcasting of New Y				BMLH920407KD		
WUUU	273B	Rome	NY	321.6	180.52	178.0	2.52 <
LI CN	43 02 14	75 26 40	27.000 kW	198M	112.2	110.6	
	Promedia Communications, Inc.				BLH840123AD		
WSUS	272A	Franklin	NJ	209.0	78.67	72.0	6.67
LI CN	41 08 37	74 32 21	0.590 kW	227M	48.9	44.8	
	WSUS Communications, Inc.				BLH840720CC		
WCMK.C	219A	Kingston	NY	11.8	25.41	10.0	15.41
CPMDVN	41 59 14	74 01 13	0.950 kW	108M	15.8	6.2	
	Family Stations, Inc.				BMPED920121ID		
>Vertical Polarization Only							
AD271	271A	Liberty	NY	271.8	61.47	31.0	30.47
AD	41 46 51	74 49 19	0.000 kW	0M	38.2	19.3	
	Michael S. Celenza						921001
>Site Restricted 6.7 km West							
WOSR	219B1	Middletown	NY	245.4	43.21	12.0	31.21
LI DCN	41 36 04	74 33 17	1.800 kW	192M	26.9	7.5	
	WAMC				BLED911231KA		
WDRCFM	275B	Hartford	CT	102.2	105.55	69.0	36.55
LI CN	41 33 44	72 50 40	19.500 kW	247M	65.6	42.9	
	Buckley Broadcasting Corporat				BLH791106AH		

Magrill & Associates  
(904) 331-5999

Exhibit # EE-2  
Spacing study showing channel 255 meets 73.207

REFERENCE		CLASS A	DISPLAY DATES
41 55 45 N			DATA 10-27-92
74 07 44 W		Current rules spacings	SEARCH 12-07-92
----- CHANNEL 255 - 98.9 MHz -----			

CALL TYPE	CH# LAT	CITY LNG	STATE PWR	BEAR' HT	D-KM D-Mi	R-KM R-Mi	MARGIN (KM)
AP202	202A	Olivebridge	NY	256.6	10.00	10.0	0.00 *
AP VN	41 54 30	74 14 46	0.100 kW	21M	6.2	6.2	
Christian Media Associates, I					BPED920618MB		921023
>Vertical Polarization Only							
WPLR	256B	New Haven	CT	119.8	113.00	113.0	0.00 *
LI CN	41 25 23	72 57 06	14.000 kW	290M	70.2	70.2	
General B/Cing. of Connecticu					BLH810622AK		
WWWK	257A	Ellenville	NY	214.9	33.06	31.0	2.06 <
LI CN	41 41 06	74 21 23	0.100 kW	496M	20.5	19.3	
Straus Communications In New					BLH860203KF		
WWWK.A	257A	Ellenville	NY	214.9	33.06	31.0	2.06 <
AP CN	41 41 06	74 21 23	0.115 kW	497M	20.5	19.3	
Straus Communications In New					BPH920917IA		
WCTW	253A	Catskill	NY	38.9	38.67	31.0	7.67
LI CN	42 12 00	73 50 07	2.350 kW	112M	24.0	19.3	
Straus Commun. in the Hudson					BLH900820KG		
WGYFM	258B	Schenectady	NY	7.9	79.38	69.0	10.38
LI CN	42 38 13	73 59 45	14.500 kW	282M	49.3	42.9	
Empire Radio Partners, Ltd.					BLH871202KE		
WRKSFM	254B	New York	NY	174.8	131.69	113.0	18.69
CP CN	40 44 54	73 59 10	5.900 kW	415M	81.8	70.2	
Summit-New York Broadcasting					BPH900723IE		
WRKSFM	254B	New York	NY	174.8	131.69	113.0	18.69
LI EN	40 44 54	73 59 10	7.800 kW	372M	81.8	70.2	
Summit-New York Broadcasting					BLH881212KC		
WSUL.C	252A	Monticello	NY	237.3	55.17	31.0	24.17
CP CN	41 39 38	74 41 14	1.100 kW	163M	34.3	19.3	
Reynolds Communications, Inc.					BPH901119II		
WSUL	252A	Monticello	NY	237.3	55.17	31.0	24.17
LI CN	41 39 38	74 41 14	2.500 kW	109M	34.3	19.3	
Reynolds Communications, Inc.					BLH870527KA		